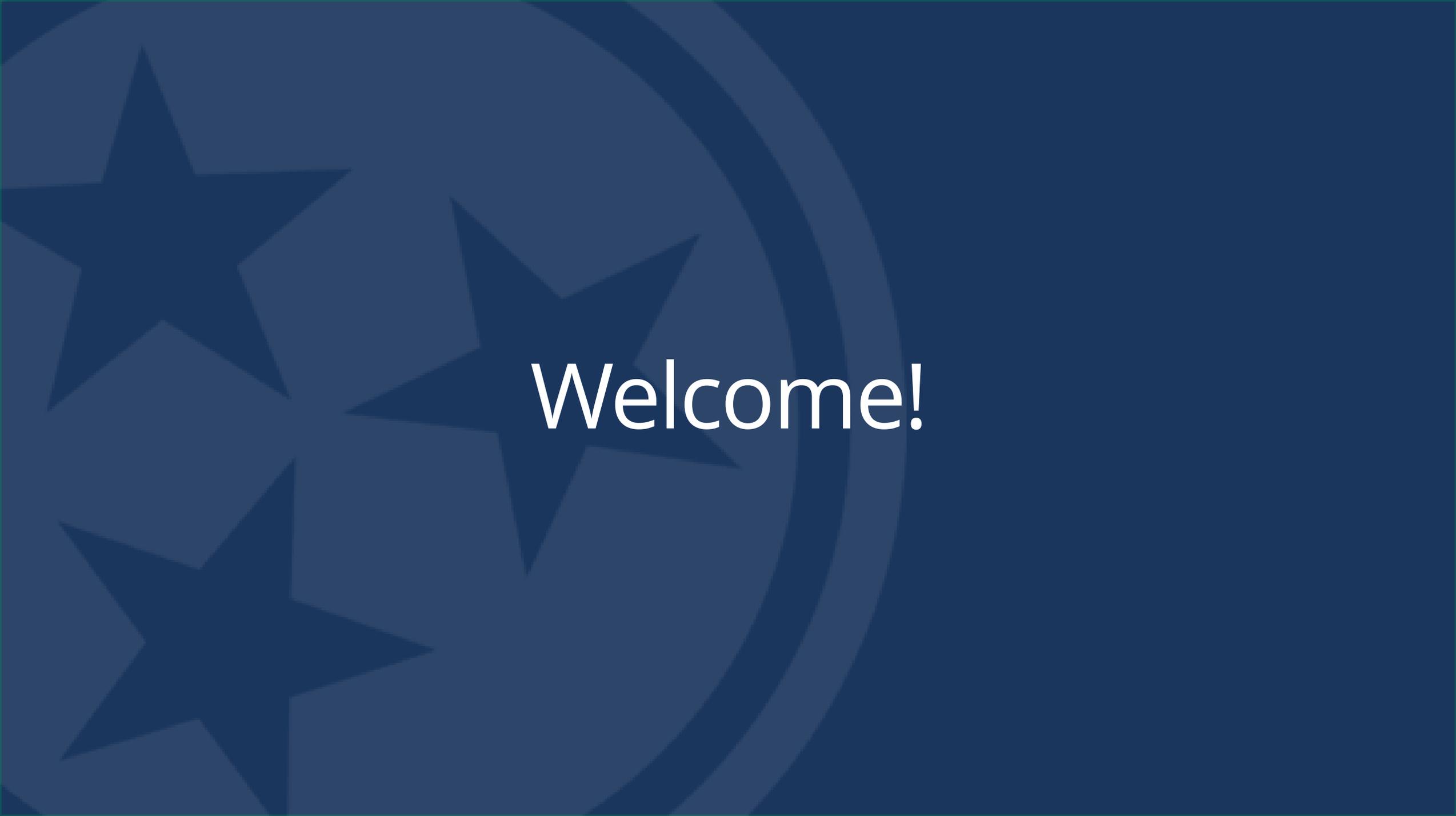




# THE CHALLENGE PROCESS

How to challenge areas designated as eligible for the CPF Middle/Last Mile Programs

July 18, 2023

The background is a dark blue gradient. On the left side, there are several large, dark blue, five-pointed stars arranged in a circular pattern. A faint, larger circular pattern is also visible behind the stars. The word "Welcome!" is centered in the middle of the image in a white, sans-serif font.

Welcome!

# Agenda

- A. Background
- B. The Challenge Process: Step by Step
- C. Summary
- D. Next Steps



Tag your questions in the chat!  
[#challengeprocessquestion](#)



The background is a dark blue gradient. On the left side, there are several large, semi-transparent, five-pointed stars. A large, faint circular pattern is also visible on the left side, partially overlapping the stars.

# A. Background

# Background

Through the American Rescue Plan's Capital Projects Fund (CPF), the Tennessee Department of Economic and Community Development (TNECD) is offering grants to **provide broadband access in unserved areas** (those lacking minimum download and upload speeds of 25 Mbps and 3 Mbps, respectively) **and underserved areas** (those with service greater than 25/3 but less than 100/20 Mbps).

- The challenge process runs for three weeks, from **July 24 to August 11**.
- The process helps ensure that all **eligible areas are accurate** and properly reflected so that TNECD can **effectively award** these funds.
- It gives internet service providers (ISPs) an opportunity to **challenge areas designated as eligible**, based on maps published by TNECD.
- Any entity that currently **provides existing service** in or adjacent to the area designated as eligible, **or has plans to do so**, may submit a written challenge and documentation.



**Submission Period: July 24 to August 11**





**B.** The Challenge Process:  
Step by Step

# The Challenge Process: Step by Step (01/11)

## Step 1: Review TNECD eligibility maps

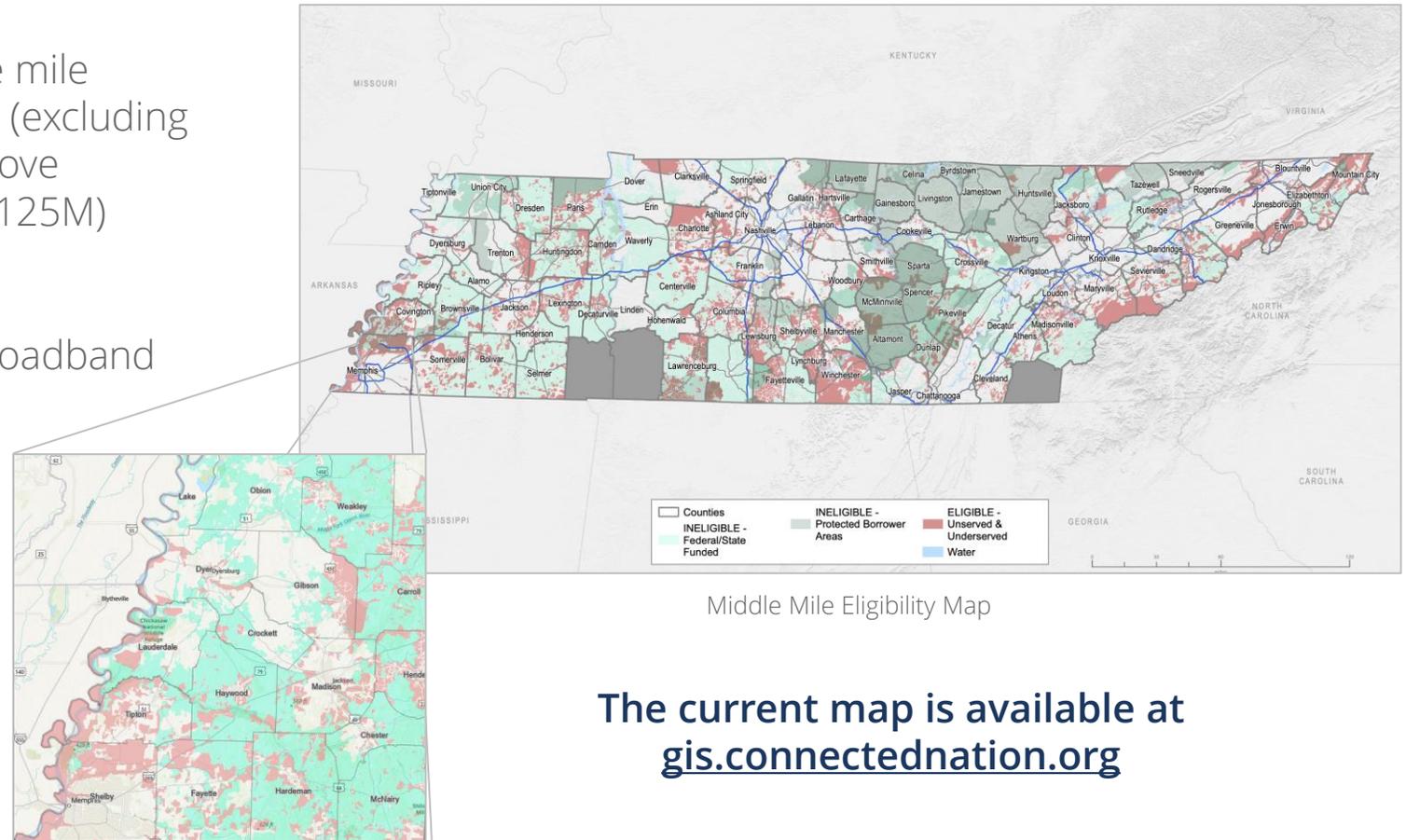
- There are separate maps for Middle Mile and Last Mile grants.

Program	Goal	Budgeted \$	Eligible areas
<b>Middle Mile</b>	Symmetrical internet service with speeds above the threshold of 100/20 Mbps to households and businesses upon project completion.	\$125M	Areas other than those in Polk, Hardin, and Wayne counties
<b>Last Mile</b>	Symmetrical internet service with speeds above the threshold of 100/20 Mbps to households and businesses upon project completion	\$60M	Polk, Hardin, and Wayne counties only

# The Challenge Process: Step by Step (02/11)

## Middle Mile eligibility map

- **Program goal:** Designed to deploy middle mile infrastructure in remote areas of the state (excluding Polk, Hardin, and Wayne counties) to improve and expand last mile connections (total: \$125M)
- **Stakeholders:**
  - ISPs that are authorized to provide broadband service in the state of Tennessee



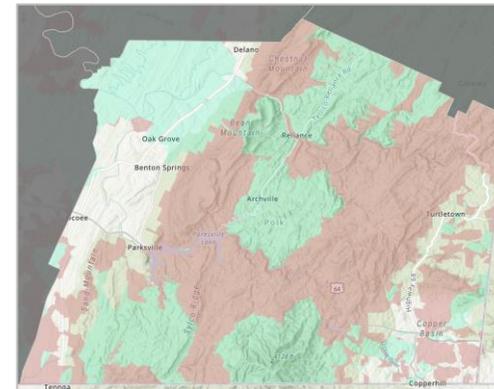
# The Challenge Process: Step by Step (03/11)

## Last Mile eligibility maps

- **Program goal:** Designed to provide service to remote areas of the state (specific to Polk, Hardin, and Wayne counties) where broadband infrastructure projects require assistance (total: \$60M)
- **Stakeholders:**
  - ISPs that are authorized to provide broadband service in the state of Tennessee



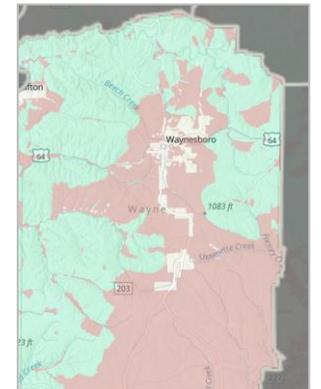
Last Mile Eligibility Map



Polk County



Hardin County



Wayne County

The current maps are available at [gis.connectednation.org](https://gis.connectednation.org)

# The Challenge Process: Step by Step (04/11)

## Step 2: Determine whether you qualify to submit a challenge

In order to qualify, an ISP must submit a written challenge with supporting documentation providing a basis for the challenge including at least one of the following:

	Description:	Speed Requirements
 <b>Option 1: Service Exists</b>	Evidence that broadband service to the area designated as eligible is in place	≥100 Mbps download/20 Mbps upload with latency of <100 milliseconds
 <b>Option 2: Construction has Begun</b>	Evidence that construction to provide broadband service to the area designated as eligible has begun	≥100 Mbps download/20 Mbps upload with latency <100 milliseconds and packet loss <2%
 <b>Option 3: Construction is Scheduled</b>	Evidence that the provider commits to complete construction and provide service in the area designated as eligible ≤18 months after submitting the challenge	≥100 Mbps download/20 Mbps upload

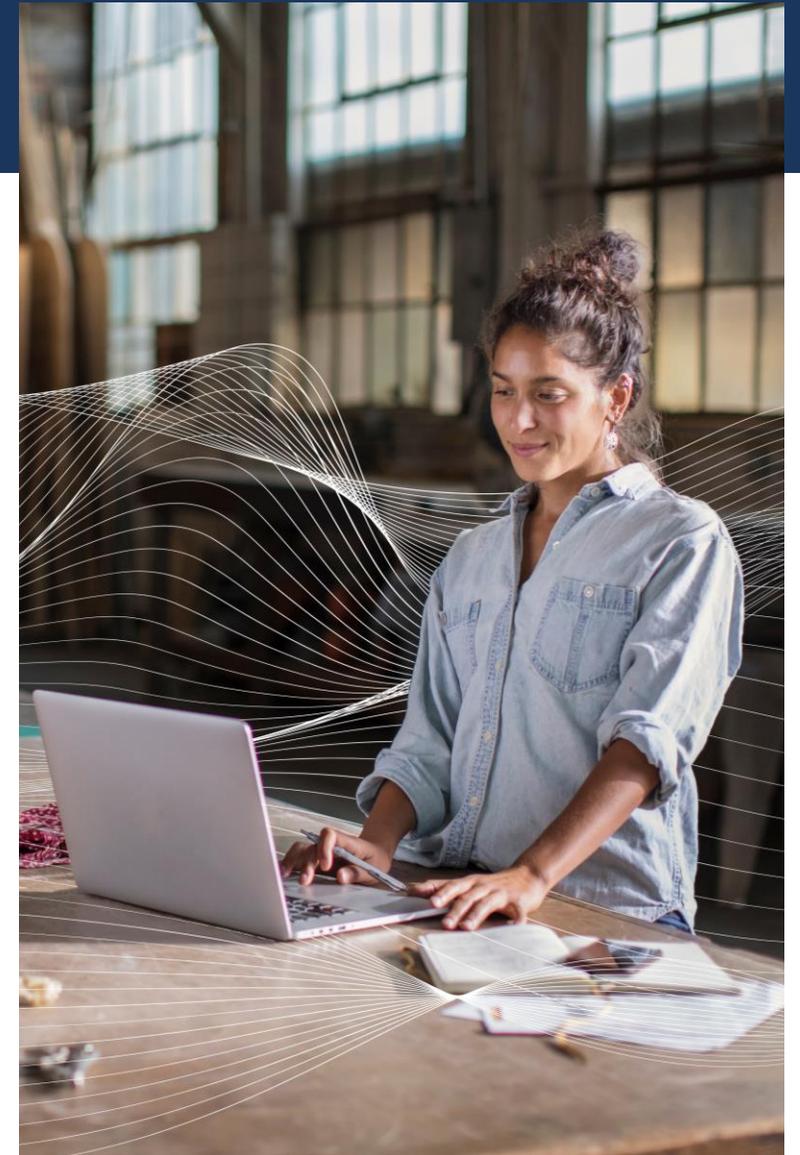
# The Challenge Process: Step by Step (05/11)

## Step 2: Determine whether you qualify to submit a challenge

An organization may also challenge areas that are currently designated as “served” (areas with service at  $\geq 100/20$  Mbps) with supplemental evidence. Supplemental evidence may include, but is not limited to, speed tests, survey results, photo evidence, and plant maps.

In order for an organization to challenge an area designated as “served,” at least one of the following will be required:

- Evidence that the area lacks infrastructure capable of offering speeds at 100/20 Mbps
- Speed test and/or survey results showing that locations cannot access internet at speeds of 100/20 Mbps
- Documentation (photo evidence, supplemental evidence, etc.) showing lack of construction/infrastructure in place to build out in area currently considered served at speeds of 100/20 Mbps



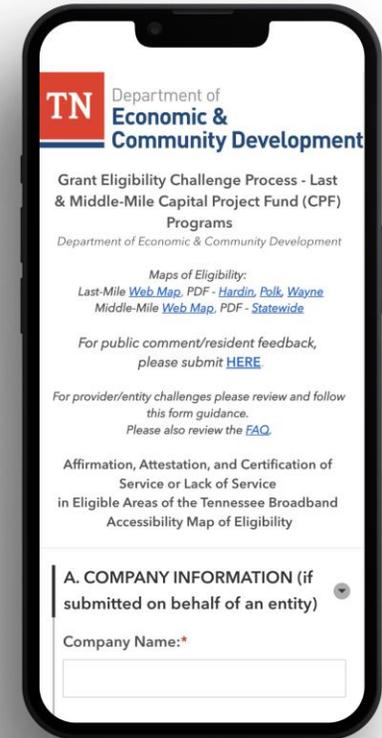
# The Challenge Process: Step by Step (06/11)

## Step 3: Complete the Challenge Process form online

The form is available at [survey123.arcgis.com](https://survey123.arcgis.com)

All comments collected during the Challenge Process period may be subject to public disclosure, except as required or allowed by law.

The submission will be evaluated based on the certainty of any builds as demonstrated by the supporting documentation and timeline for expansion.

A smartphone displaying the online challenge process form. The form is titled "Grant Eligibility Challenge Process - Last & Middle-Mile Capital Project Fund (CPF) Programs" and is from the "Department of Economic & Community Development". It includes links for "Maps of Eligibility" (Last-Mile Web Map, PDF - Hardin, Polk, Wayne; Middle-Mile Web Map, PDF - Statewide), a link for "public comment/resident feedback" (HERE), and a link for "provider/entity challenges" (FAQ). The form also includes a section for "Affirmation, Attestation, and Certification of Service or Lack of Service in Eligible Areas of the Tennessee Broadband Accessibility Map of Eligibility" and a section for "A. COMPANY INFORMATION (if submitted on behalf of an entity)" with a "Company Name:\*" field.

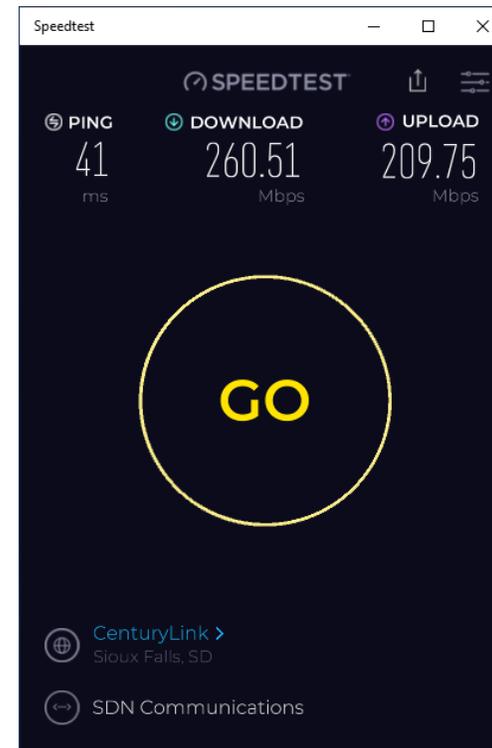
Challenge Process Form

# The Challenge Process: Step by Step (07/11)

## Acceptable document types for submissions

- Plant map (does not need to be at the asset level)
- Georeferenced picture
- Design AutoCAD, KMZs, shapefiles, geodatabase
- Bill of lading, invoicing, proof of financing, commitment to financing, permits, deployed technology, feasibility studies, community letters of support, applicant business model, project scope, timeline, funding commitment, end-user pricing levels, data caps, or lack thereof

**Note:** Providing false information will result in a disqualification of the challenge.



Examples of Acceptable Documents

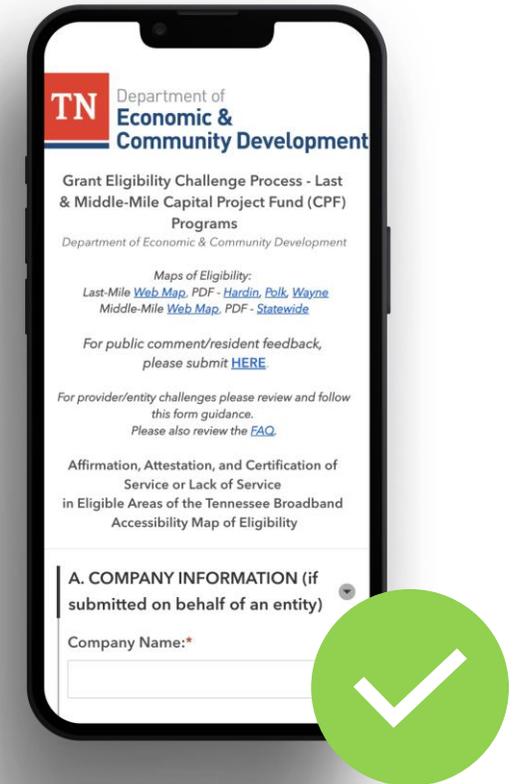
# The Challenge Process: Step by Step (08/11)

## Step 4: Await TNECD decision

### Possible Outcome #1

The submission, including the supporting documentation, is **found to be credible**. Next steps:

- TNECD will remove the area from eligibility for upcoming Last Mile or Middle Mile grant funding.
- The challenger must submit documentation no later than 12 months from the grant award date substantiating that they have fulfilled the proposed commitment.



The image shows a smartphone screen displaying a web form from the Tennessee Department of Economic & Community Development. The form title is "Grant Eligibility Challenge Process - Last & Middle-Mile Capital Project Fund (CPF) Programs". It includes sections for "Maps of Eligibility" with links to "Last-Mile Web Map, PDF - Hardin, Polk, Wayne" and "Middle-Mile Web Map, PDF - Statewide". There are instructions for public comment/feedback and for provider/entity challenges. The form is partially filled out, showing a section for "A. COMPANY INFORMATION (if submitted on behalf of an entity)" with a "Company Name:" field. A large green checkmark is overlaid on the bottom right of the phone screen.

Challenge Process Form

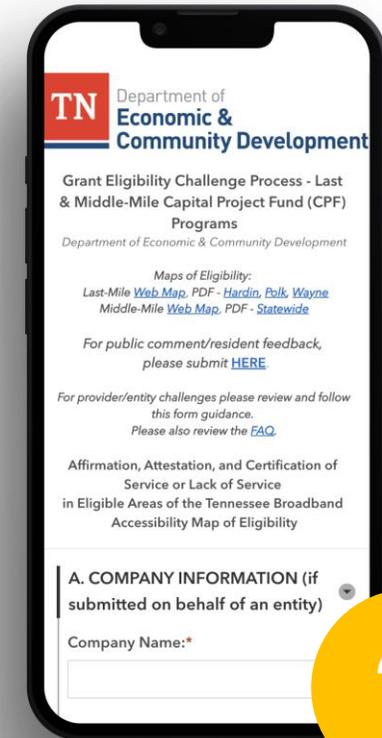
# The Challenge Process: Step by Step (09/11)

## Step 4: Await TNECD decision

### Possible Outcome #1 (continued)

Note: If TNECD does not provide funding to an unserved or underserved area a result of an ISP's challenge and the **ISP does not fulfill its commitment** to provide broadband internet service in the unserved or underserved area, TNECD will not consider another broadband grant application from the ISP for the next two grant cycles.

- Possible exception: If TNECD determines that the ISP's failure to fulfill the commitment was due to circumstances beyond the ISP's control (e.g., natural disaster, civil unrest) and the ISP took reasonable steps in light of the circumstances.

A smartphone displaying the 'Challenge Process Form' from the Tennessee Department of Economic & Community Development. The form title is 'Grant Eligibility Challenge Process - Last & Middle-Mile Capital Project Fund (CPF) Programs'. It includes links for 'Maps of Eligibility' (Last-Mile, Middle-Mile, Statewide), a link for public comment/feedback, and a link for provider/entity challenges. The form is currently on the 'A. COMPANY INFORMATION' section, with a 'Company Name' field and a yellow question mark icon overlaid on the right side of the phone.

Challenge Process Form

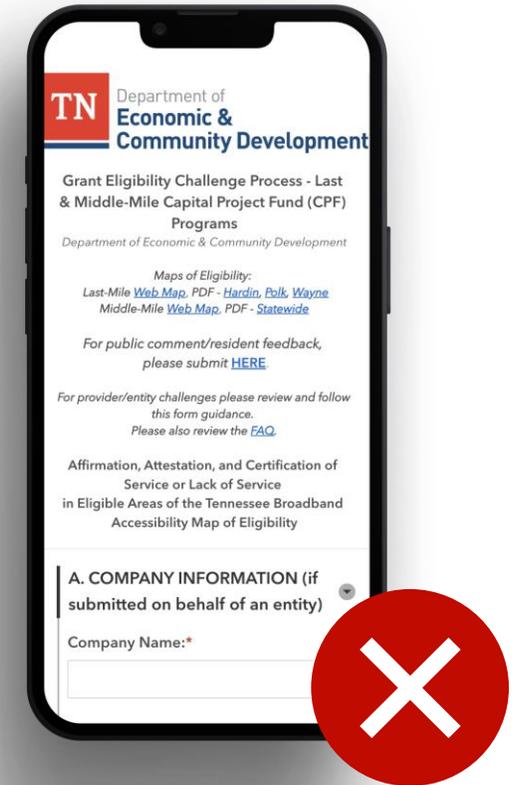
# The Challenge Process: Step by Step (10/11)

## Step 4: Await TNECD decision

### Possible Outcome #2

The submission, including the supporting documentation, **is determined to be insufficient** and does not meet the minimum service requirements. Next steps:

- TNECD will include the service area as eligible for grant funding



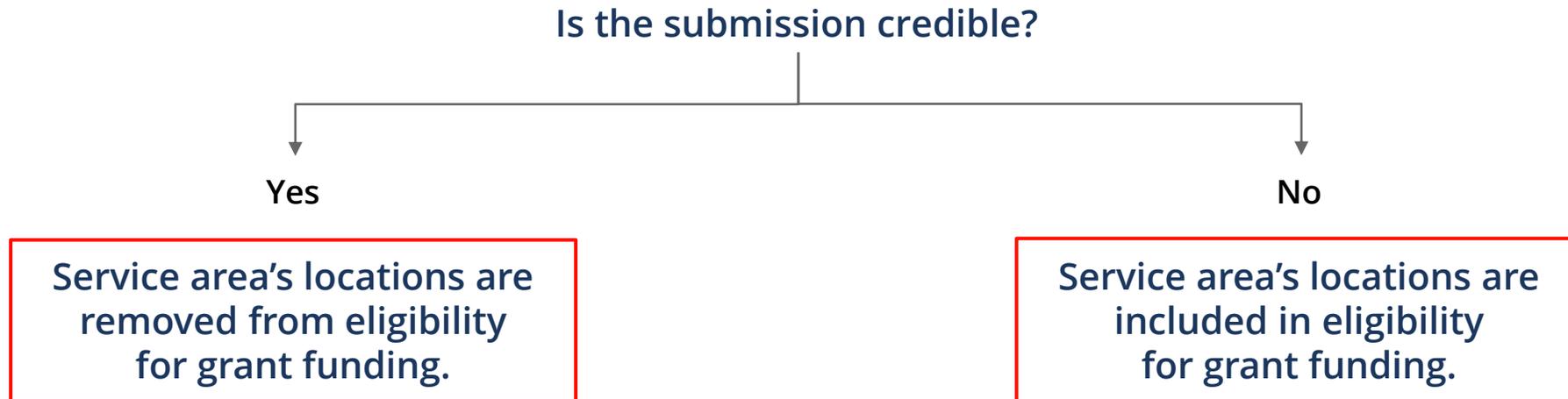
Challenge Process Form

# The Challenge Process: Step by Step (11/11)

## Step 4: Await TNECD decision

**Within 15 business days of the submission** of a written challenge, TNECD will notify the ISP of the results of their proposed challenge.

A list of challenges found to be valid, and the project areas affected by those challenges, will be published on the TNECD government website (<https://www.tn.gov/ecd.html>).



The background features a dark blue gradient with a large, faint circular pattern on the left side. Inside this circle are several five-pointed stars of varying shades of blue. The text 'C. Summary' is positioned in the center-left area, overlapping the circular pattern.

# C. Summary

# Summary

- **Through the American Rescue Plan's Capital Projects Fund (CPF)**, the Tennessee Department of Economic and Community Development (TNECD) is offering grants to provide broadband access in unserved and underserved areas.
- **From July 24 to August 11**, ISPs can submit a written challenge for changes to areas designated as eligible for the grants, based on maps published by TNECD.
- The Middle Mile eligibility map is available at [gis.connectednation.org](https://gis.connectednation.org)
- The Last Mile eligibility maps are available at [gis.connectednation.org](https://gis.connectednation.org)
- Four steps of the challenge process:
  1. Review the TNECD eligibility maps.
  2. Determine your qualification to submit a challenge.
  3. Complete the Challenge Process form online.
  4. Await the TNECD decision (within 15 days of submission).



**Submission Period: July 24 to August 11**

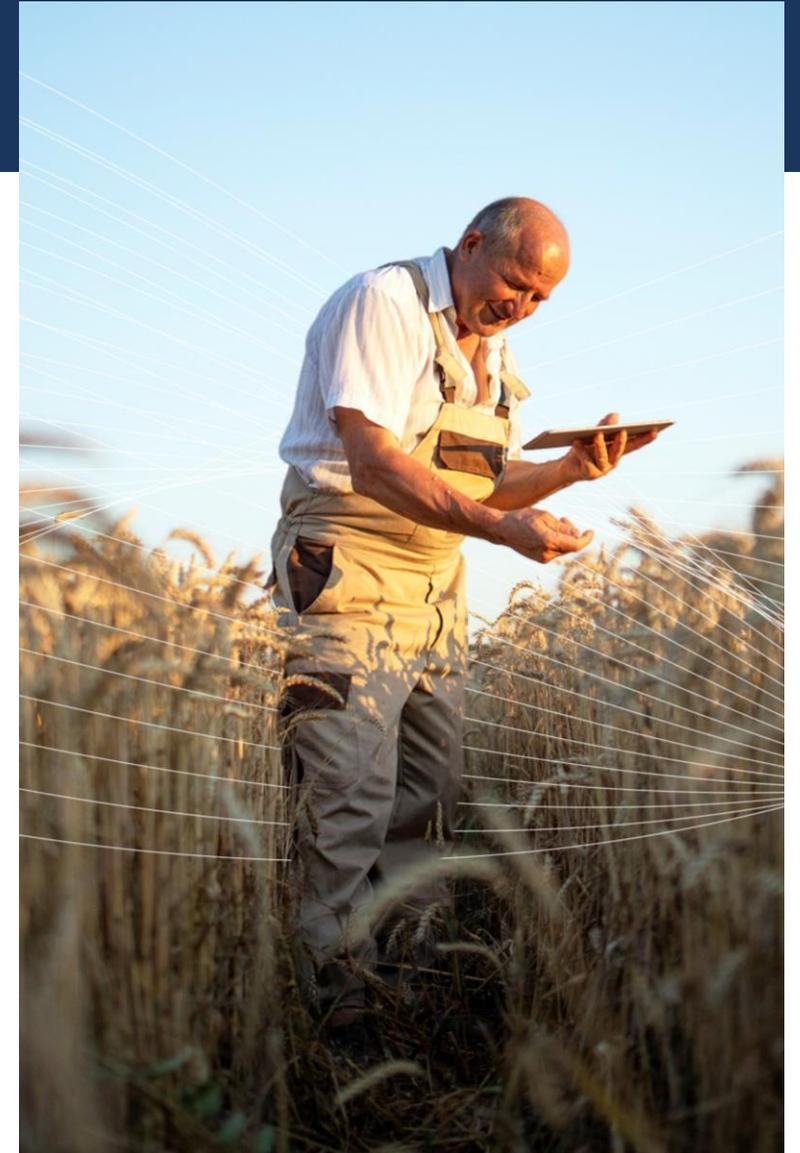
The background is a dark blue gradient. On the left side, there are several faint, overlapping five-pointed stars. A large, semi-transparent circular graphic is also visible, partially overlapping the stars and extending towards the center of the slide.

## D. Next Steps

# Next Steps

## Resources and key dates

<b>TNECD Broadband Office:</b>	<a href="https://www.tn.gov/ecd/rural-development/broadband-office.html">https://www.tn.gov/ecd/rural-development/broadband-office.html</a>
<b>TNECD Broadband Grant web page:</b>	<a href="https://www.tn.gov/ecd/rural-development/broadband-office/grants.html">https://www.tn.gov/ecd/rural-development/broadband-office/grants.html</a>
<b>TNECD Challenge Process form:</b>	<a href="https://survey123.arcgis.com">survey123.arcgis.com</a>
<b>TNECD Middle Mile eligibility map:</b>	<a href="https://gis.connectednation.org/portal/apps/experiencebuilder/experience/?id=9d9c557d221f444296b51949af5246f1">https://gis.connectednation.org/portal/apps/experiencebuilder/experience/?id=9d9c557d221f444296b51949af5246f1</a>
<b>TNECD Last Mile eligibility maps:</b>	<a href="https://gis.connectednation.org/portal/apps/experiencebuilder/experience/?id=be485cf47cd4480b904daaa0f629383d">https://gis.connectednation.org/portal/apps/experiencebuilder/experience/?id=be485cf47cd4480b904daaa0f629383d</a>
<b>Contacts:</b>	Taylre M. Beaty, State Broadband Director: <a href="mailto:taylre.beaty@tn.gov">taylre.beaty@tn.gov</a> Donovan Spann, Broadband Infrastructure Coordinator: <a href="mailto:donovan.spann@tn.gov">donovan.spann@tn.gov</a>
<b>Last Mile/Middle Mile Webinar:</b>	[TBD]
<b>Application Period for Last Mile Grants:</b>	Sept. 4 to Oct. 16
<b>Application Period for Middle Mile Grants:</b>	Sept. 4 to Oct. 16





Department of  
**Economic &  
Community Development**

**THANK YOU**